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WC 05-344
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OCT 21 2005

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of

Section 63.71 Application of
Advanced Tel, Inc. - Consolidated
For Authority to Discontinue
Certain Services

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Comp. Pol. File No. _____

SECTION 63.71 APPLICATION

Pursuant to Sections 63.71 of the Commission's Rules¹ and Section 214(a) of the Communications Act of 1934, as amended,² Advanced Tel, Inc. - Consolidated ("Advanced Tel" or the "Company") hereby files this application to discontinue the provision of local exchange service and Digital Subscriber Line High-Speed ("DSL") to a segment of customers that the Company serves in the State of Louisiana ("Application").³ In support of this Application, Advanced Tel submits the following:

I. Information Required by Section 63.71(a)(1) -(4)

A. Name and Address of Carrier

Advanced Tel, Inc. - Consolidated
913 South Burnside Avenue
Gonzales, Louisiana 70737-4258

For purposes of this Application, the Commission may contact:
Janet S. Britton, Corporate and Regulatory Counsel
Advanced Tel, Inc. - Consolidated
913 South Burnside Avenue
Gonzales, Louisiana 70737-4258

¹ See 47 C.F.R. § 63.71.

² See 47 U.S.C. § 214(a).

³ As required by Section 63.71(a) of the Commission's Rules, Advanced Tel has notified and submitted a copy of this Application to the Louisiana Public Service Commission, the Governor of the State of Louisiana and the Secretary of the Department of Defense. Advanced Tel is a certificated competitive local exchange carrier ("CLEC") in the state of Louisiana and provides local exchange, DSL, long distance and Internet Service Provider ("ISP") services. A subsidiary of Advanced Tel, TLX Communications, Inc. ("TLX"), is also a certificated CLEC in Louisiana; however, it currently provides only long distance service and has no local exchange customers. Because this application does not seek discontinuance of long distance service, TLX is not part of this application.

B. Date of Planned Service Discontinuance

Advanced Tel is sending notices to its CLEC customers in the states of Louisiana and Mississippi, specifying that the Company intends to discontinue local exchange and DSL service. Notices were sent to one segment of customers that reside in the State of Louisiana specifying a proposed discontinuance date of November 30, 2005. This Application seeks approval to discontinue service to this segment of customers.⁴ Discontinuance for this segment will begin November 30, 2005. In order to ensure that customers will be able to transition to alternative services, the Company will allow an additional period of 45 days after the November 30, 2005 discontinuance date specified in the customer notices before discontinuing service to this entire segment of customers. Accordingly, the Company intends to discontinue service to this segment of its customers no later than January 14, 2006 subject to obtaining all necessary federal and state regulatory approvals.

C. Points of Geographic Areas of Service Affected

The notices sent by Advanced Tel informing customers of the Company's intent to discontinue service on November 30, 2005 were sent to a segment of its customers that are located in areas served by BellSouth and that are within the Company's certificated competitive local exchange area in the following parishes in Louisiana:⁵ Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Catahoula, Claiborne, Concordia, De Soto, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jackson, Jefferson, Jefferson Davis, Lafayette, Lafourche, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Plaquemines, Pointe Coupee, Rapides, Sabine, Saint Bernard, Saint Charles, Saint James, Saint Landry, Saint Martin, Saint Mary, Saint Tammany, St. John the Baptist, Tangipahoa, Tensas, Terrebonne, Union, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Feliciana.

⁴ Within the next few weeks, the Company plans to file a second Section 63.71 Application with the Commission seeking approval for discontinuance of local exchange and DSL service to the remainder of its customers in Louisiana where it provides competitive local exchange service and, shortly thereafter, plans to file a third application seeking approval for discontinuance of these types of services to customers in Mississippi.

⁵ The remainder of the Company's customers that are in Louisiana to which the Company provides competitive local exchange service are also located in these parishes. Notices are currently being sent to these customers specifying a proposed discontinuance date of December 30, 2005. An additional period of time will also be afforded to these customers and to the customers in Mississippi to ensure adequate time for the customers to be able to transition to alternate services.

D. Brief Description of the Types of Services Affected

In the areas where the Company provides competitive local exchange service referenced above, Advanced Tel provides the following types of services which will be discontinued:

Facilities-based local exchange service and local exchange services provided through resale of BellSouth's services. In conjunction with both of these types of services, the Company has offered DSL services which will also be discontinued.⁶ The Company will continue to provide long distance service and serve as an ISP for individuals in Louisiana who access the Internet through dial-up service.

II. Description of the Dates and Methods of Notice to All Affected Customers

The written notices sent to the segment of customers that specify a discontinuance date of November 30, 2005 were sent on September 22, September 29 and on October 6, 2005. Sample copies of these notices are attached as Exhibits A, B and C respectively.

A portion of the customers to which notices have been sent are ones that have been displaced due to Hurricane Katrina and/or Hurricane Rita. For these individuals, the U.S. Post Office has established procedures to receive mail at their new location. These notices informed the customers that Advanced Tel's service is dependent upon BellSouth's network which is still under repair and encouraged them to seek an alternate provider when they return. With regard to customers such as hospitals and government agencies that have been displaced, the Company sent notices to these customers via USPS Priority Mail with Delivery Confirmation. To the extent that these measures are not adequate to satisfy the Commission's requirements, the Company seeks waiver of Section 63.71(a) of the Commission's Rules and is prepared to provide supporting evidence demonstrating the extraordinary circumstances surrounding those impacted by Hurricane Katrina or Hurricane Rita to justify grant of a request for waiver of this Rule.

III. Status of Carrier

Advanced Tel is non-dominant with respect to the services that it proposes to discontinue.

IV. Circumstances of Discontinuance

The Company's decision to discontinue local exchange and DSL services was made well in advance of Hurricane Katrina and Hurricane Rita and was a difficult business decision based primarily on the Commission's decision to change its rules and regulations affecting the cost structure for providing CLEC services.

⁶ The Company will continue to provide DSL services in conjunction with its affiliated incumbent local exchange carrier ("ILEC") to subscribers in the ILEC's service territory.

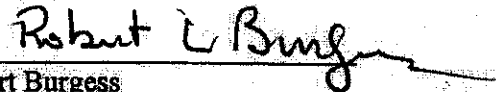
V. Certification

On behalf of Advanced Tel, the undersigned President and Chief Operating Officer of Advanced Tel, hereby certifies that the statements contained herein are true, complete and correct to the best of my knowledge and made in good faith.

VI. Conclusion

For the reasons stated herein, the Company respectfully requests grant of this Application.

Respectfully Submitted,



Robert Burgess
President & Chief Operating Officer

Advanced Tel, Inc. – Consolidated
913 South Burnside Avenue
Gonzales, Louisiana 70737-4258
225-621-4200

October 18, 2005

EXHIBIT A

Sample September 22, 2005 Discontinuance Letter



1-888-625-4100

AXID

OK with corrections

OK without corrections

Send revised proof

Signature _____ Date _____

Send revised proof

9/29/05

Signature Date

Dear Customer

This letter is to inform you that on November 30, 2005, Advanced Tel, Inc., d/b/a EATEL will no longer be providing local telephone service, DSL High-Speed and dial-up Internet in your area. (Please note: EATEL will continue to offer all existing services in the company's franchised service area within East Ascension and Lower Livingston Parishes.)

This was a difficult business decision based primarily on the Federal Communication Commission's change in rules and regulations affecting the cost structure for providing competitive local exchange services in your area. We are providing this notice well in advance of our target termination date to allow you sufficient time to find another communications provider.

It is our understanding that there are other providers which offer local exchange services within your service area. Generally, you will find a list of local exchange service providers in your local telephone directory. In order to make your selection, you must contact a local telephone service provider of choice and request that your service be switched to that provider.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, and reference the Application of Advanced Tel. Inc., d/b/a EATEL. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

While EATEL will no longer provide local phone service, DSL, High-Speed and dial-up Internet in your area, we will continue to offer long distance service to customers in Louisiana. If you currently have long distance service with EATEL, there is no need to cancel it. Or, if you are interested in signing up for EATEL's long distance plans, please feel free to call our Customer Service Department at 1-866-625-4100 after you have established local telephone service with another provider.

We regret any inconvenience we may have caused you and we thank you for the opportunity to have served you.

Sincerely,

EATEL

EXHIBIT B

Sample September 29, 2005 Discontinuance Letter

Res - No



913 S. Burnside Avenue Gonzales, LA 70737

IMPORTANT NOTICE REGARDING YOUR ACCOUNT

September 29, 2005



Kim & Jason Foncast
202 Nan Dr
Lafayette, LA 70503-2226

1-866-625-4100

- ☐ OK with corrections
☐ OK without corrections
☐ Send revised proof

Signature _____ Date _____

RE: URGENT Notice of Discontinuance of Local Telephone Services, DSL High Speed and dial-up Internet (Excluding East Ascension and Lower Livingston Parishes)

Dear Customer:

This letter is to inform you that on November 30, 2005, Advanced Tel, Inc., d/b/a EATEL will no longer be providing local telephone service, DSL High-Speed and dial-up Internet in your area. (Please note: EATEL will continue to offer all existing services in the company's franchised service area within East Ascension and Lower Livingston Parishes.)

This was a difficult business decision based primarily on the Federal Communication Commission's change in rules and regulations affecting the cost structure for providing competitive local exchange services in your area. We are providing this notice well in advance of our target termination date to allow you sufficient time to find another communications provider.

It is our understanding that there are other providers which offer local exchange services within your service area. Generally, you will find a list of local exchange service providers in your local telephone directory. In order to make your selection, you must contact a local telephone service provider of choice and request that your service be switched to that provider. If you are in an area where your EATEL local telephone service was affected by Hurricane Katrina or Hurricane Rita, BellSouth is working diligently to rebuild its infrastructure. Since EATEL's current local service is largely a resale arrangement of BellSouth's network, a repair for an EATEL service would take approximately the same amount of time as new service ordered with BellSouth directly. We encourage you to contact an alternate provider as soon as possible.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, and reference the Application of Advanced Tel, Inc., d/b/a EATEL. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

While EATEL will no longer provide local phone service, DSL High-Speed and dial-up Internet in your area, we will continue to offer long distance service to customers in Louisiana. If you currently have long distance service with EATEL, there is no need to cancel it. Or, if you are interested in signing up for EATEL's long distance plans, please feel free to call our Customer Service Department at 1-866-625-4100 after you have established local telephone service with another provider.

We regret any inconvenience we may have caused you and we thank you for the opportunity to have served you.

Sincerely,

EATEL

(MED) SEP 28 2005 14:43/ST.14:42/NO.890000432 P 2

FROM MAIL COMM

EXHIBIT C

Sample October 6, 2005 Discontinuance Letter

RES CLEC



IMPORTANT NOTICE REGARDING YOUR ACCOUNT

913 S. Burnside Avenue Gonzales, LA 70737

1-866-625-4100

October 6, 2005

OK with corrections

OK without corrections



*****AUTO-DIGIT 70001
Janet Stanich
1813 Harvard Ave
Metairie, LA 70001-2905

Send revised proof

Janet Stanich 10/14/05
Signature Date

RE: URGENT Notice of Discontinuance of Local Telephone Services, DSL High Speed and dial-up Internet
(Excluding East Ascension and Lower Livingston Parishes)

Dear Customer:

This letter is to inform you that on November 30, 2005, Advanced Tel, Inc., d/b/a EATEL will no longer be providing local telephone service, DSL High-Speed and dial-up Internet in your area. (Please note: EATEL will continue to offer all existing services in the company's franchised service area within East Ascension and Lower Livingston Parishes.)

This was a difficult business decision based primarily on the Federal Communication Commission's change in rules and regulations affecting the cost structure for providing competitive local exchange services in your area. We are providing this notice well in advance of our target termination date to allow you sufficient time to find another communications provider.

It is our understanding that there are other providers which offer local exchange services within your service area. Generally, you will find a list of local exchange service providers in your local telephone directory. In order to make your selection, you must contact a local telephone service provider of choice and request that your service be switched to that provider. If you are in an area where your EATEL local telephone service was affected by Hurricane Katrina or Hurricane Rita, BellSouth is working diligently to rebuild its infrastructure. Since EATEL's current local service is largely a resale arrangement of BellSouth's network, a repair for an EATEL service would take approximately the same amount of time as new service ordered with BellSouth directly. We encourage you to contact an alternate provider as soon as possible.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, and reference the Application of Advanced Tel, Inc., d/b/a EATEL. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

While EATEL will no longer provide local phone service, DSL High-Speed and dial-up Internet in your area, we will continue to offer long distance service to customers in Louisiana. If you currently have long distance service with EATEL, there is no need to cancel it. Or, if you are interested in signing up for EATEL's long distance plans, please feel free to call our Customer Service Department at 1-866-625-4100 after you have established local telephone service with another provider.

We regret any inconvenience we may have caused you and we thank you for the opportunity to have served you.

Sincerely,

EATEL

2 (TUE) OCT 4 2005 14:42/ST. 14:42/NO. 8300000475 P 2

FROM MAIL COMM

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application of Advanced Tel, Inc. - Consolidated was served this 18th day of October, 2005, by mailing true and correct copies thereof, postage prepaid, to the following persons:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000


Governor Kathleen Babineaux Blanco
State Capitol
P.O. Box 94004
Baton Rouge, LA 70804-9004

Louisiana Public Service Commission
Lawrence C. St. Blanc, Executive Secretary
P.O. Box 91154
Baton Route, LA 70821-9154

I hereby certify that the foregoing Section 63.71 Application of Advanced Tel, Inc. - Consolidated was served this 18th day of October, 2005, by e-mailing true and correct electronic copies thereof to the following persons:

Rodney McDonald
Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
Rodney.McDonald@fcc.gov

John Adams
Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
John.Adams@fcc.gov



John Kuykendall